DOCID: 3973461

# ANNUAL REPORT
# FREEDOM OF INFORMATION ACT

FY 1997

REPORT CONTROL SYMBOL

**1. INITIAL DETERMINATIONS**

| a TOTAL REQUESTS | b GRANTED IN FULL | c DENIED IN PART | d DENIED IN FULL | e "OTHER REASONS" | f TOTAL ACTIONS |
|---|---|---|---|---|---|
| 733 | 259 | 111 | 87 | 521 | 978 |

**2a. EXEMPTIONS INVOKED ON INITIAL DETERMINATIONS**

| (b) (1) | (b) (2) | (b) (3) | (b) (4) | (b) (5) | (b) (6) | (b) (7) | (b) (8) | (b) (9) | TOTAL |
|---|---|---|---|---|---|---|---|---|---|
| 132 | 7 | 185 | 6 | 9 | 33 | 7 | 0 | 0 | 379 |

**2b. (b)(3) STATUTES INVOKED ON INITIAL DETERMINATIONS** *(Continue on separate sheet if necessary)*

| (1) (b)(3) STATUTES CLAIMED | (2) NUMBER OF INSTANCES |
|---|---|
| 10 U.S.C. 130 | 1 |
| 10 U.S.C. 2305 | 1 |
| 18 U.S.C. 798 | 110 |
| 50 U.S.C. 403 | 113 |
| 50 U.S.C. 402 note (P.L. 86-36) | 179 |

**2c. "OTHER REASONS" CITED ON INITIAL DETERMINATIONS**

| 1 | 2 | 3 | 4 | 5 | 6 | TOTAL |
|---|---|---|---|---|---|---|
| 251 | 123 | 3 | 96 | 25 | 23 | 521 |

**3. INITIAL DENIAL AUTHORITIES BY PARTICIPATION** *(Continue on separate sheet if necessary)*

| a NAME *(Last, First, Middle Initial)* | b. RANK *(If Military)* | c TITLE AND ORGANIZATION | d NUMBER OF INSTANCES |
|---|---|---|---|
| Winch | | D/Chief, N5 | 18 |
| Cavanaugh | | Chief, N5P | 337 |

**4. APPEAL DETERMINATIONS**

| a. TOTAL REQUESTS | b GRANTED IN FULL | c. DENIED IN PART | d. DENIED IN FULL | e. "OTHER REASONS" | f TOTAL ACTIONS |
|---|---|---|---|---|---|
| 28 | 0 | 7 | 4 | 17 | 28 |

**5a. EXEMPTIONS INVOKED ON APPEAL DETERMINATIONS**

| (b) (1) | (b) (2) | (b) (3) | (b) (4) | (b) (5) | (b) (6) | (b) (7) | (b) (8) | (b) (9) | TOTAL |
|---|---|---|---|---|---|---|---|---|---|
| 6 | 0 | 7 | 0 | 0 | 5 | 2 | 0 | 0 | 20 |

**5b. (b)(3) STATUTES INVOKED ON APPEAL DETERMINATIONS** *(Continue on separate sheet if necessary)*

| (1) (b)(3) STATUTES CLAIMED | (2) NUMBER OF INSTANCES |
|---|---|
| P.L. 86-36, 50 U.S.C. 402 note | 9 |
| 18 U.S.C. 798 | 5 |
| 50 U.S.C. 403-3 (c)(6) | 5 |

**5c. "OTHER REASONS" CITED ON APPEAL DETERMINATIONS**

| 1 | 2 | 3 | 4 | 5 | 6 | TOTAL |
|---|---|---|---|---|---|---|
| 16 no records | 1 admin closure | | | | | 17 |

**6. APPEAL DENIAL AUTHORITIES BY PARTICIPATION** *(Continue on separate sheet if necessary)*

| a NAME *(Last, First, Middle Initial)* | b. RANK *(If Military)* | c TITLE AND ORGANIZATION | d NUMBER OF INSTANCES |
|---|---|---|---|
| William P. Crowell | | Deputy Director, NSA | 11 Denials |

DD Form 2564, AUG 90 (EG)

Approved for Release by NSA on 05-16-2012, FOIA Case # 67129

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7. COURT OPINIONS AND ACTIONS T/ I *(Continue on separate sheet if necessary)*

See Attached

**8. FREEDOM OF INFORMATION ACT IMPLEMENTATION RULES OR REGULATIONS** *(Continue on separate sheet if necessary)*

**9. FEES COLLECTED FROM THE PUBLIC**

| | |
|---|---|
| TOTAL AMOUNT COLLECTED FROM PUBLIC | $ 656.30 |

**10a. AVAILABILITY OF RECORDS** *(Continue on separate sheet if necessary)*

**10b. FOI PROGRAM COSTS**

| | |
|---|---|
| I PERSONNEL COSTS | |
| A ESTIMATED MANYEARS | 11.8 |
| B MANYEAR COSTS | $578,174.50 |
| C ESTIMATED MANHOUR COSTS BY CATEGORY | |
| (1) Search Time | $ 10,053.00 |
| (2) Review and Excising | $ 4,749.63 |
| (3) Coordination and Approval | $ 898.63 |
| (4) Correspondence/Form Preparation | $ 834.50 |
| (5) Other Activities | $ 834.50 |
| (6) Total ((1) through (5)) | $ 17,370.26 |
| D OVERHEAD ((B+C) x 25%) | $148,886.19 |
| E TOTAL (B through D) | $744,430.95 |
| II. OTHER CASE-RELATED COSTS | |
| A COMPUTER SEARCH TIME | $ 383.20 |
| B OFFICE COPY REPRODUCTION | $ 15,742.65 |
| C MICROFICHE REPRODUCTION | $ |
| D PRINTED RECORDS | $ |
| E COMPUTER COPY | $ |
| F AUDIOVISUAL MATERIALS | $ |
| G OTHER | $ |
| H SUBTOTAL (A through G) | $ 16,125.85 |
| I OVERHEAD (25% x H) | $ 4,031.46 |
| J. TOTAL (H+I) | $ 20,157.31 |
| III. COST OF ROUTINE REQUESTS PROCESSED | $ |
| IV TOTAL COSTS (I through III) | $ 764,588.26 |

**10c. FORMAL TIME LIMIT EXTENSIONS**

| (1) LOCATION | (2) VOLUME | (3) CONSULTATION | (4) COURT | (5) TOTAL |
|---|---|---|---|---|
| | 462 | 51 | | 513 |

**DD Form 2564 Reverse, AUG 90**

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## 1997 FOIA LITIGATION CASES (Jan. - Sep.)

CPSR v. NSA, et. al., Civ. No. 93-1074, (D.D.C.), June 28, 1993. Plaintiff alleged failure of NSA and NSC to produce documents to FOIA requester within 10 days of request. Open America granted September 1, 1994. Action stayed until March 31, 1995. CPSR's action seeks disclosure of materials withheld pursuant to the FOIA. On February 10, 1997, the court ordered NSA to file a supplemental in camera declaration. NSA's Motion for Summary Judgment granted on July 14, 1997.

William Longbehn v. U.S. Department of Justice, et al., Civ. No. 96-264 RCL, (D.D.C.), February 12, 1996. Plaintiff alleges inadequate search. Declaration signed March 12 and filed March 15, 1996. IRS motion to dismiss granted September 16, 1997. By separate orders, all claims and defendants have been dismissed except for proceedings against the FBI, which proceedings were stayed until May 31, 1999, by order of May 6, 1997.